

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

JOHN WESLEY NEWELL

)  
) Case No. 3:12-cr-00040  
)  
)  
) Chief Judge Haynes  
)

**MOTION TO CONTINUE TRIAL**  
**IN THE INTERESTS OF JUSTICE**

*Grisham*  
*This motion is*  
*GRANTED for the*  
*reasons stated in*  
*the motion*  
*11-12-13*

On November 8, 2013, a status conference was held before this Court. At that hearing, the parties agreed that the interests of justice necessitated a brief extension of time before proceeding to trial—the Court agreed with that submission. Defense Counsel related that a delay in funding for expert services, from the appropriate authorizing body in the Sixth Circuit, had delayed his trial preparation. Additionally, it was determined that Defense Counsel would need additional time to respond to the Government's Motion to Exclude Expert Testimony of Dr. David Ross (D.E. 79). Defense Counsel has requested an extension to December 2, 2013, (D.E. 84) in which to respond to the government's motion.

Upon the filing of defendant's response to the Motion to Exclude Expert Testimony of Dr. David Ross, counsel for both parties will confer and submit a proposed order to schedule a *Daubert* hearing, if necessary, and propose new dates for trial. At the November 8, 2013, hearing, the Court determined that all time related to the resolution of the aforementioned matters was properly excluded from Speedy Trial computations.

Respectfully submitted,

**DAVID RIVERA**

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Middle District of Tennessee

**s/ Clay T. Lee**

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